

REGISTER OF CLASSIFICATION DECISIONS

Date of entry in Register:	05 October 1999
Name of applicant/court:	The District Court at Wellington
Applicant to the Labelling Body:	Not Applicable
Title of Publication:	Gangrape.jpg
Other Known Titles:	Not Stated
Director:	Not Applicable
Producer:	Not Applicable
Publisher:	Not Applicable
Author:	Not Applicable
Format:	Computer Image File
Country of Origin:	Not Applicable
Language:	Not Applicable

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Components of film originally examined: Not Applicable.

Feature:	Running time:
Trailers:	Running time:
	Total Running time:

Excision/Alteration: Not Applicable.

Reason(s) for Excision:

Not Applicable.

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Classification Decision:

Objectionable.

Display Conditions:

Not Applicable.

Descriptive Note:

Not Applicable.

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Direction to issue a label has been given on: Not Applicable.

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SUMMARY OF THE REASONS FOR DECISION:

The computer image file entitled *Gangrape.jpg* is classified as:
Objectionable.

This classification is because the computer image file promotes and supports the exploitation of children and young persons for sexual purposes, and promotes and supports the use of violence and coercion to compel any person to submit to sexual conduct.

The computer image file shows four near-naked men holding down a naked girl, who appears to be between 12 and 14 years old, with one of the men holding his hand between her buttocks. The girl appears to be screaming. The image and the title give a strong impression that the men are forcing the girl to submit to sexual conduct. The sexual nature of the violent conduct, in combination with the girl's youthfulness, indicate that she is being sexually exploited. There are no cues in the computer image file to counter the impressions of a sexually titillating focus on the rape and sexual exploitation of a child or young person. The format of the computer image file is such that it can be very easily copied and made available to other people, for instance, via the Internet.

Section 14 of the New Zealand Bill of Rights Act 1990 (NZBR Act) cannot be applied to this publication, because it has been determined that s3(2) of the Films, Videos, and Publications Classification Act 1993 applies. Section 3(2) provisions are deeming provisions, which are inconsistent with and override the rights and freedoms set out in s14 of the NZBR Act.

OFLC Ref: 9901657